

From: "Casteen, Laurie D (ldv4d)" <ldv4d@virginia.edu>
Sent: Thu, 19 Mar 2020 20:15:51 +0000
To: [Jane Doe](#)
Subject: Follow up

Dear [Jane Doe](#),

As I described in my first email and our follow-up conversations, the University's Evaluation Panel (the "EP"), a group comprising representatives from ODOS, Title IX, and UPD, met this week to consider your report of Prohibited Conduct that we discussed. I am now writing to share with you the outcome of that meeting. The purpose of the EP is to determine whether the reported information (and any other available information) indicates a threat to your health or safety or that of the University community. Your safety and well-being are our priority, and your preferences, which the University will seek to honor if possible, are important to the EP. If the EP determines, however, that available information *does* indicate a threat to your health or safety or that of the University community and/or a violation of certain felony sexual assault/violence offenses in Virginia, the University is required, pursuant to University Policy and Virginia law, to make certain disclosures to external law enforcement agencies. In certain cases, the University may also determine that it is necessary to conduct a formal investigation under its Policy on Sexual or Gender-Based Harassment and Other Forms of Interpersonal Violence. You will be promptly notified of EP decisions, and you ultimately choose your level of participation with any decision reached. Know that I remain available to you to offer support.

Below, I have summarized the decisions of the EP:

- (1) *Disclosure to local law enforcement for reasons of health or safety.* Consistent with University Policy and Virginia law, the University must disclose all available information to law enforcement if the reported information indicates a threat to your health or safety or that of the University community. The EP determined that, based on the reported (and all other available) information, the health/safety disclosure *is not required* at this time. Please note that this decision is based on specific risk factors (which are listed in our Policy and can be reviewed online at eocr.virginia.edu/title-ix) and is not intended to diminish the seriousness of your experience.
- (2) *Disclosure of certain felony allegations to the prosecuting authority.* Consistent with University Policy and Virginia law, the University must disclose information to the applicable prosecuting authority when a report includes allegations of certain (sexual assault/violence) felonies. The EP determined that the felony-violation disclosure *is not required* at this time.
- (3) *University investigation and resolution.* Consistent with University Policy and federal law, the University will conduct a formal investigation in appropriate cases. This investigation is separate and distinct from, and may proceed at the same time as, any investigation undertaken by law enforcement. As I indicated in my earlier email, you may request that your identity be withheld, that no investigation be pursued, and/or that no University discipline be imposed. The University seeks to honor your preferences if possible. Consistent with your preferences, the EP determined that the University's Title IX Coordinator *will commence* a formal investigation at this time in order to ensure your safety and that of the University community. The EOCR/Title IX office is responsible for investigating and resolving reports under the Title IX Policy. Consistent with the University's directive for faculty and staff to telework, the EOCR/Title IX office is open; however, team members are working remotely. The Title IX Coordinator will be in contact with you soon via email to provide

you with important information regarding the investigation, including the Notice of Investigation. If you have any questions regarding the timing of that Notice, please contact Emily Babb, the Title IX Coordinator, at ecb6y@virginia.edu. You choose your level of participation with that process, and I will remain available to provide support and resources.

Additional information about the role and decision-making process of the EP, and about University investigation and resolution options, as well as the full text of the *Policy on Sexual and Gender-Based Employees* can be accessed at eocr.virginia.edu/title-ix.

In addition to the determinations that the EP makes, there are other protective and remedial measures available to you, and many of these resources are outlined in the Resource and Reporting Guide that I shared in my first email. Please know that accessing support and resources does *not* require you to share any additional information, and does not require that you pursue or participate in any University resolution processes. If you would like to revisit any of these options at any time, please let me know. Your safety and well-being remain my primary concern, and I remain available to answer any questions you may have and to continue to offer my support.

I hope that your first day of online classes has been going okay. Please let me know if you have any difficulty with faculty or if I can be helpful. Please also keep me posted on your access to a new therapist in NOVA.

All best,
LDC

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